



Appeal Decision

Site visit made on 3 June 2024

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2024

Appeal Ref: APP/H5960/D/24/3340923

41 Heathfield Road, London SW18 2PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Dunthorne against the decision of the Council of the London Borough of Wandsworth.
 - The application, Ref. 2023/4132, dated 2 November 2023 was refused by notice dated 28 December 2023.
 - The development proposed is a garage conversion; ground floor roof changes; first floor and second floor side extension; floor plan re-design and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for a garage conversion; ground floor roof changes; first floor and second floor side extension; floor plan re-design and associated works at 41 Heathfield Road, London SW18 2PH in accordance with the terms of the application, Ref. 2023/4132, dated 2 November 2023 and subject to the conditions in the attached Schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling; the terrace of which it forms part, and the Wandsworth Common Conservation Area.

Reasons

3. The appeal dwelling is an end property in a terrace of two storeys plus a mansard roof, forming part of a single 1970s development with a terrace of similar design round the corner in Westover Road. A feature of the terraces is the strong symmetry of the front elevations, both in terms of the first floor and mansard roof fenestration; the ground floor garage and entrance door for each dwelling, and the replication of that arrangement for each house in the block.
 4. However, as an end property in the Heathfield Road terrace, No. 41 has scope for additional alterations and additions to the side, as evidenced by the Council's permissions firstly in 1987 for a flat roofed garage and store (Ref. 87/w/3260) and secondly in 2019 for the erection of a side bay extension to the first and second floors (Ref. 2019/5200). The latter was not implemented.
 5. The appeal scheme seeks to take further advantage of the end of terrace siting through the construction of a two-storey plus mansard side extension to replace
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the existing garage and store, but at the same time convert the integral garage to habitable space with a window replacing the garage door. The scheme additionally includes a replacement ground floor rear extension, but the Council has raised no issues in this regard.

6. The Council's objection as summarised in the Notice of Refusal is essentially two-fold: (i) a failure to maintain subservience to the existing property, and (ii) a reduction in the visual uniformity of the terrace. Firstly, as regards subservience, the Council's objection is that the side extension would fail to conform with design guidance in the Wandsworth Housing SPD ('the SPD') in that at 0.5m in each case it would be insufficiently set down from the roof and set back from the front wall respectively.
7. However, given the Council's objective in its refusal of permission is to retain the overall symmetry of the terrace, these distances (which although modest would still be noticeable) are arguably preferable to more obvious reductions in height and frontage set backs. Indeed, and as regards (ii) visual uniformity of the terrace, in a case where an extension would be one of a design fully integrated with the host building to create a double fronted elevation with a central front door, the principle of necessity for subservience as regards width, ridge height and frontage alignment might reasonably be contested.
8. In this context I note the examples in the application's Design and Access Statement of other terraces in the locality where a double frontage is regarded as an appropriate design with which to end a terrace. With that said, I consider on balance that with the extension's corner position, the modest reductions in ridge height and front building line would help with the acceptable incorporation of the extension into the street scene.
9. Specific objections have been raised as to the size of the extension and the loss of uniformity respectively. In the case of size, the Council and a local resident have expressed concern that the replacement of a ground floor side wall facing Westover Road with a three-storey elevation would dominate and be overbearing to the street scene.
10. However, the development would build on the existing garage wall (or in the same position if new foundations are needed) and a gap of just under 1.5m to the pavement with planting would remain. The visual impact of the brick wall would be alleviated by the inclusion of windows on all three levels. I also saw on my visit that in addition to a separation of two pavements and the width of Westover Road, No. 39 the building on the opposite corner is set noticeably further back from Heathfield Road and in a more spacious setting than the appeal dwelling.
11. The combined effect of these factors would in my view be sufficient to offset the increased impact of an additional storey and the mansard roof compared to the existing side garage. Accordingly, I differ from the view of the Officer's Report that the proposal would be harmful by adversely affecting the character of the adjacent street environment.
12. As regards the removal of the integral garage door and its replacement with a window, I agree this would affect the character and appearance of the terrace because of the further weakening of its uniformity. I use the term 'further weakening' rather than 'removal' because No. 41 has not been uniform since

the implementation of the Council's 1987 permission for a flat roofed garage and store to the side of the building. Nonetheless, I acknowledge the view of the Council and some local residents that the further development is considered to be harmful to the character and appearance of the terrace itself and to the conservation area.

13. On the other hand, integral garage doors are of a utilitarian appearance and in themselves of no aesthetic merit. They were popular in higher density developments a few decades ago but because of the increase in size of the average car they are increasingly difficult and sometimes impossible to use for their intended purpose. In this context it is relevant to have regard to the appellant's submissions that the Council has indicated that were it not for a condition on the original permission for the terrace, the conversion of the garage to living accommodation would have been permitted development. I acknowledge however that the Council's refusal of an application for relief from the condition would not necessarily be unreasonable.
14. Be that as it may, I consider the key factor in the appeal to be that the aforementioned proposed design fully integrates with the host building to create a double fronted elevation with a central front door and that this in my view is an improvement in the existing appearance of No. 41. This is best illustrated in the 'sketch' in Figure 15 of the Grounds of Appeal, but perhaps less apparent in the application plans. And as I have indicated in paragraph 8 above, there are other examples where terraces of houses with a symmetrical appearance are terminated with significant design differences.
15. In fairness, this improvement would be partially offset by the shortening of the rhythm of the individual dwellings in the terrace which in my view would cause slight harm to the character and appearance of the terrace itself and of the conservation area. However, I consider that these alterations and additions at No. 41 in its end of terrace position when taken as a whole would result in an attractive building that would sit comfortably within its immediate context.
16. Because the dwelling's appearance would be improved, I conclude that the minor harm arising from an end of terrace loss of rhythm and symmetry as a result of the removal of the integral garage would be outweighed and that the conservation area would at the least be preserved rather than harmed. Accordingly, notwithstanding that the appeal scheme does not wholly comply with the guidance of the Council's Housing SPD 2016, I find that there would be no unacceptably harmful conflict with policies LP1 and LP3 of the Wandsworth Local Plan 2023-2038 and with the relevant paragraphs of Section 16: 'Conserving and Enhancing the Historic Environment' of the National Planning Policy Framework December 2023. In coming to my decision, I have had regard to the objections to the proposal from local residents.

Conclusion and Conditions

17. For the reasons explained above I shall allow the appeal. A condition requiring the development to be carried out in accordance with the approved plans is needed for the avoidance of doubt and is in the interests of proper planning.
18. A condition requiring matching external materials will preserve visual amenity whilst a condition requiring the development to be carried out in accordance with the Arboricultural Method Statement will achieve a similar objective.

Finally, a condition precluding the use of the roof of the rear extension for leisure purposes will safeguard the privacy of neighbours.

Martin Andrews

INSPECTOR

Schedule of Conditions

- 1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this Decision;
- 2) The materials to be used in the external surfaces of the development hereby permitted shall match those used in the existing building;
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. B176984-3000 Rev. A; B176984-1100 Rev. A; B176984-3100 Rev. A;
- 4) The roof area of the rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area. No balustrades, railings or other means of enclosure or means of permanent access shall be erected on this area;
- 5) No development shall be carried out other than in full accordance with the Tree Protection measures included in the Arboricultural Method Statement & Tree Protection Plan 41 Heathfield Road SW18 2PH and no works or materials / plant storage shall be undertaken within the protected area unless and until first agreed in writing with the Local Planning Authority. The protection measures shall be retained until completion of the development.